

SECOND REGULAR SESSION

Johnstown, NY

February 13, 2023

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Born, Bowman, Bradt, Breh, Callery, Fagan, Fogarty, Goderie, Greene, Groff, Horton, Howard, Kinowski, Potter, Young

TOTAL: Present: 17 Absent: 3 (Supervisors Lauria, Bradt and VanGenderen)

Chairman Horton called the meeting to order at 1:00 p.m.

Following the Pledge of Allegiance to the Flag, Chairman Horton asked if there was anyone from the public who wished to address the Board.

PUBLIC SPEAKERS

Timothy Rizzo, County Highway 107, Johnstown: Mr. Rizzo stated that he wanted to give an update on the proposed Upstate Ice Plex (UIP) concept he is working on starting. Mr. Rizzo stated that he considered that February 9, 2023 as the one-year anniversary of the UIP effort. He also noted that he had presented at previous a Economic Development and Environment Committee on UIP. He said he hoped the facility will be a regional development, attracting people from Utica to Schenectady. Mr. Rizzo stated that he hoped the Board of Supervisors would appoint a “liaison” for Upstate Ice Plex. He also stated that he sent a letter to the Board of Supervisors about the effort Mr. Rizzo stated that almost \$12,000.00 has been raised to dated. He asked Supervisors to look for their copy of that letter.

COMMUNICATIONS

1. Letter from the NYS Sheriffs’ Association Executive Director dated 19 December 2022
Subj: Information regarding Inmate Telephone Services
2. Letter from Senator Mark C. Walczyk dated 27 January 2023
Subj: Thanking the Board of Supervisors for providing his team with office space in the County
Office Building

REPORTS

- A. Planning Department: 2022 Annual Report

CHAIRMAN’S REPORT

Chairman Horton stated that he has met with Department Heads and the Center for Regional Growth since becoming Chairman. He also noted that he had written a letter of testimony to the NYS Redistricting Commission objecting to its most recent proposed Assembly redistricting map. Chairman Horton advised the Board of Supervisors to review the Governor’s

State Budget proposed closely and that NYSAC has done a review on it as well. It has significant negative impacts for counties.

Chairman Horton also encouraged everyone to read through Administrative Officer Stead's summary of concerns for Fulton County.

RESOLUTIONS (TITLES ATTACHED)

Administrative Officer Jon Stead stated that since the COVID-19 Pandemic there has been confusion at the State and federal levels. This is creating delays within government that effect the economy and supply chain. He noted that Department Heads have purchased items budgeted for last year; however, due to delays from these effects, the items are not coming in within the year they were budgeted for. These complications are causing some of the extra Resolutions having to be addressed on today's Board Agenda.

Mr. Stead noted that Supervisor Wilson will not be in attendance at today's Board meeting. He asked Supervisor Bradt to sponsor the Public Work's Resolutions on behalf of the Committee. Mr. Bradt agreed.

No. 82 (Resolution Re-appropriating 2022 Funds into the 2023 Budget for the Purchase of a 2023 Western Star Truck in the Highways and Facilities Department): Mr. Stead noted again the supply chain shutting down during the COVID-19 Pandemic effecting items/equipment coming in within the budgeted year. He stated that he has spoken to the Budget Director regarding this issue and "H accounts" may need to be created in the future to help with the effects it is having upon planning and budgeting.

No. 93 (Resolution Requesting a Waiver from Voting Law Requirement Regarding the Location of the Early Voting Polling Site in Fulton County): Supervisor Young stated that he does not support this Resolution because it makes sense to have the central polling site in Gloversville. He noted he does not see a reason to move it. Supervisor Born concurred with Supervisor Young.

No. 94 (Resolution Authorizing an Installment Purchase Contract for the Purchase of a Sharp Mx-8090n Copier Under State Contract (#Pm68232) for use in the Printing Department): Mr. Stead noted that "DPP" stands for Deferred Payment Plan.

No. 100 (Resolution Urging the NYS Independent Redistricting Commission to Maintain Fulton County Boundaries in any Assembly Redistricting Plan): Supervisor Young stated that looking at the redistricting map, there is a large "chunk" of Fulton County that would be with Colonie, which is not rural at all. Chairman Horton stated that the City of Johnstown and City of Gloversville would be taken out of Fulton County under the Commission's current plan and that is "nonsensical".

No. 101 (Resolution Demanding that the State of New York to Continue to Pass-Through Federal Affordable Care Act Enhanced Federal Medicaid Assistance Percentage (Efmap) Funds to Counties): Mr. Stead stated that the \$1.8 million per year loss would affect Fulton

County significantly. Supervisor Callery stated that the money should be passed down and he cannot believe that the State can hold that money. Supervisor Fagan stated that this is the “tip of the iceberg”. Supervisor Greene inquired if a letter should be sent to the Federal Representatives regarding this. Mr. Stead stated that the Resolution will be sent. He also stated that he, the Chairman, as well as other Supervisors will be attending the NYSAC Conference. After the NYSAC Conference would be the best time to follow up with the appropriate letters. Mr. Stead noted that he has been in contact with Dave Lucas with NYSAC, who has been in contact with Senator Schumer regarding the eFMAP changes. Supervisor Howard noted that this will ultimately fall on the tax rate.

Mr. Stead stated that one of the things State Officials look at is sales tax revenues when trying to justify these types of new mandates. He noted that the last year of the COVID-19 Pandemic, sales tax was very low; however, now it looks like it is increasing significantly. In reality, it is just going back up to where it was before the pandemic. Mr. Stead stated that the trend in Fulton County is heading back to normal. It is currently at 7 percent increase compared to 2021 and moving back toward the 2.5 to 3.5 percent which is still healthy. He also stated that a lot of sales tax in the last few cycles have been from fuel sales. He noted that Fulton County receives about \$28.9 million and distributes about \$10 million to towns; however, Montgomery County is slightly smaller than Fulton County and receives \$46.5 million.

A motion was offered by Supervisor Fagan, seconded by Supervisor Callery and unanimously carried, to waive the Rules of Order to take action on Late Resolution 1.

Chairman Horton thanked County Attorney Brott for all his work on the County contracts.

ADJOURNMENT

Upon a motion by Supervisor Callery seconded by Supervisor Greene and unanimously carried, the Board adjourned at 2:01 p.m.

Certified by:

Jon R. Stead, Administrative Officer/ DATE
Clerk of the Board

Resolution No. 29

Supervisors ARGOTSINGER AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING THE NYS DEPARTMENT OF AGRICULTURE AND MARKETS GRANT TO UPDATE THE COUNTY’S AGRICULTURAL DEVELOPMENT AND FARMLAND PROTECTION PLAN (2023 CAPITAL PLAN)

WHEREAS, the current Agricultural Department of Farmland Protection Plan for Fulton County has not been updated since 2002; and

WHEREAS, the 2023 Capital Plan includes a Fulton County Agricultural Development and Farmland Protection Plan – Update Project in the amount of \$100,000.00; and

WHEREAS, the Planning Director has recommended that the County update its Agricultural and Farmland Protection Plan and accept the NYS Department of Agriculture and Markets Grant to assist in completing said plan; and

WHEREAS, Fulton County will be required to provide a 50 percent match in cash or in-kind services with 20 percent of the overall match required to be in cash; and

WHEREAS, inasmuch as the grant application is on an open enrollment basis, the Committee on Economic Development and Environment recommends proceeding with accepting for said grant funds from the NYS Department of Agriculture and Markets; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the NYS Department of Agriculture and Markets Grant for preparation of an updated Agricultural Development and Farmland Protection Plan for Fulton County, in a funding amount not to exceed \$50,000.00, with a 50 percent County match (\$50,000.00); and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.1000.9950-9000-1000 – EXP – Other - Unrestricted
To: H.8020.8997-2100.0972 – EXP – Ag & Farmland Protection Plan Update (NEW)
Sum: \$50,000.00

and, be it further

Resolution No. 29 (Continued)

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase H.8020.8997-3902.0972 – REV – State Aid – Ag & Farmland \$50,000.00
Protection Plan Update (NEW)

Appropriation:

Increase H.8020.8997-2100.0972 – EXP – Ag & Farmland Protection \$50,000.00
Plan Update (NEW)

and, be it further

RESOLVED, That the Planning Director and Real Property Tax Services Agency Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Planning Director, Real Property Tax Services Agency Director, Agriculture and Farmland Protection Board, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 30

Supervisors ARGOTSINGER AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING STATE MATCHING FUNDS FOR 2023
“I LOVE NEW YORK” TOURISM PROGRAM

WHEREAS, Resolution 515 of 2022 authorized submittal of a grant application for “I Love New York” Tourism Matching Funds for 2023 estimated to be \$49,257.00; and

WHEREAS, the County of Fulton has been advised that it has been awarded up to \$49,257.00 for its 2023 Tourism Matching Funds Program; and

WHEREAS, the Committees on Economic Development & Environment, and Finance recommend that the County accept the full amount of the grant matching funds; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors, by this Resolution, hereby accepts 2023 Tourism Matching Funds, in an amount of \$49,257.00 (Fulton County to match its share of \$49,257.00) for 2023; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue
Decrease A.8020.7020-3715 - REV- State Aid - Tourism Promotion \$1,020.00

Appropriation
Decrease A.8020.7020-4100 - EXP- Advertising \$1,020.00

and, be it further

RESOLVED, That the Fulton Montgomery Regional Chamber of Commerce, as Fulton County’s Tourism Promotion Agency, do each and every other thing necessary to receive such funds; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 31

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING A PUBLIC HEARING DATE REGARDING THE DRAFT MAP, PLAN AND REPORT FOR PROPOSED FULTON COUNTY SEWER DISTRICT NO. 5: NYS ROUTE 30/30A

WHEREAS, the Fulton County Board of Supervisors has determined that it is in the interest of the residents of Fulton County to establish public sewer services from the City of Gloversville to the Village of Northville; and

WHEREAS, the Fulton County Water and Sewer Agency, via cooperative inter-municipal agreements (SMART Waters Agreement) with the Cities of Gloversville and Johnstown, has sufficient capacities and ability to supply public sewer service to the proposed district; and

WHEREAS, NYS County Law Article 5-A authorizes Fulton County to establish county water and sewer districts, which districts are further authorized to purchase water and sewer services for resale within the district; now, therefore be it

RESOLVED, That a public hearing shall be held on Monday, March 13, 2023 at 1:30 p.m., in the Board of Supervisors Chambers, Johnstown, NY, to receive public comments on the proposed establishment of Fulton County Sewer District No. 5: NYS Route 30/30A; and, be it further

RESOLVED, That the Administrative Officer/Clerk of the Board of Supervisors be and hereby is directed to give notice of said public hearing on said matters pursuant to and in accordance with Section 254 of the County Law, and that said notice shall be published once in the official newspaper of this County, not less than ten (10) days or more than twenty (20) days prior to date of said public hearing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Affected Departments, Planning Director, City of Gloversville, City of Johnstown, Village of Mayfield, Gloversville-Johnstown Waste Water Treatment Plant, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 32

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION CLASSIFYING THE PROPOSED FULTON COUNTY SEWER DISTRICT NO. 5: NYS ROUTE 30/30A PROJECT AS AN UNLISTED ACTION, PROPOSING THAT THE BOARD OF SUPERVISORS SERVE AS LEAD AGENCY AND AUTHORIZING THE DISTRIBUTION OF A PART 1 ENVIRONMENTAL ASSESSMENT FORM TO INVOLVED AGENCIES UNDER SEQRA

WHEREAS, Resolution 267 of 2021 authorized an agreement with Environmental Design Partnership (EDP) for engineering services for the Fulton County Sewer District No. 5: NYS Route 30/30A Phase I Project as part of the 2021 Capital Plan; and

WHEREAS, a draft Map, Plan and Report for proposed County Sewer District No. 5: NYS Route 30/30A has been completed and is subject to public hearing on March 13, 2023; now, therefore be it

RESOLVED, That in accordance with the New York State Environmental Quality Review Act (SEQRA), the Board of Supervisors hereby classifies said Fulton County Sewer District No. 5: NYS Route 30/30A as an Unlisted Action and proposes that it serve as Lead Agency for the purpose of conducting a Coordinated SEQRA review of the proposed action and for issuing a determination of significance; and, be it further

RESOLVED, That the Planning Director is hereby authorized and directed to distribute copies of the Environmental Assessment Form and project documents to all Involved Agencies asking each to consent to the Board of Supervisors serving as SEQRA Lead Agency and giving each Agency 25 calendar days to respond; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Attorney, NYSDEC, NYSDOT, NYSDOH, City of Gloversville, Town of Johnstown, Gloversville-Johnstown Joint Sewage Treatment Facility, Administrative Officer/Clerk of the Board and to each and every other institution or agency that will further the purport of their Resolution.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 33

Supervisors ARGOTSINGER AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE CITY OF GLOVERSVILLE TO TAKE TITLE TO
CERTAIN PARCELS FORMERLY OWNED BY COMRIE INC.
(92 HARRISON STREET, GLOVERSVILLE)

WHEREAS, Resolution 400 of 2004 authorized an inter-municipal cooperation agreement between the County of Fulton and the City of Gloversville for assumption of City Property Tax Collection and enforcement responsibilities; and

WHEREAS, the Mayor of Gloversville has requested that the Board of Supervisors delegate to the City of Gloversville the authority to proceed in rem against 92 Harrison Street and 96 Harrison Street, Gloversville (parcels 163.5-6-3 and 163.5-6-5) formerly owned by Comrie, Inc. due to the property being subject to foreclosure with years of tax liens for both the City of Gloversville and County of Fulton; and

WHEREAS, the Board of Supervisors has not proceeded to enforce delinquent taxes through foreclosure against said parcels in the past due to concerns about potential hazardous contamination at the former tannery; and

WHEREAS, the Committees on Economic Development & Environment, and Finance have reviewed this request and recommend that the City of Gloversville be allowed to carry out foreclosure and take ownership of said parcels, inasmuch as the City of Gloversville has a federal Environmental Protection Agency (EPA) Grant available to evaluate and determine if any environmental hazards exist and the feasibility of remediation; now, therefore be it

RESOLVED, That the Board of Supervisors hereby consents to delegate its authority to foreclose on the following parcels to the City of Gloversville, in this instance only:

<u>Tax Map No.</u>	<u>Address</u>
163.5-6-3	92 Harrison Street
163.5-6-5	96 Harrison Street

and, be it further

RESOLVED, That the County Treasurer and County Attorney are hereby authorized to and directed to assist the City of Gloversville in its In Rem foreclosure upon the two parcels listed herein in order to take title to promote community rehabilitation efforts; and, be it further

RESOLVED, That the County Treasurer and County Attorney do each and every other thing necessary to further the purport of this Resolution; and, be it further

Resolution No. 33 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, City of Gloversville, County Clerk, County Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 34

Supervisors ARGOTSINGER AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AWARDING A TOURISM DESTINATION GRANT FOR ADVANCEMENT OF THE NEW YORK STATE BASEBALL HALL OF FAME IN FULTON COUNTY (DESTINATION: FULTON COUNTY)

WHEREAS, Resolution 260 of 2021 endorsed *Destination: Fulton County-A Strategic Plan for American Rescue Plan Funds*, including a \$1,000,000.00 Tourism Destination Grant to the Parkhurst Field Foundation to jumpstart its tournament baseball facility project; and

WHEREAS, Resolution 268 of 2021 awarded the Tourism Destination Grant to the Parkhurst Field Foundation for the “Legends Park at Parkhurst Field” project in the amount of \$1,000,000.00

WHEREAS, Resolution 336 of 2021 authorized a lease agreement with the Parkhurst Field Foundation for a County-owned building at 45 Harrison Street, Gloversville to house the New York State Baseball Hall of Fame; and

WHEREAS, the parties have established the goal of a grand opening New York State Baseball Hall of Fame in early summer 2023; and

WHEREAS, to facilitate the opening by early summer, the New York State Baseball Hall of Fame has requested that the Board of Supervisors consider a grant to make improvements, create memorabilia displays and erect proper signage to the building to facilitate its use as a modern Hall of Fame and Museum, and

WHEREAS, the proposed grant amount will be used exclusively to advance the New York State Baseball Hall of Fame facility at 45 Harrison Street, as follows:

COMPONENT A: Theatre Room (garage conversion) \$23,000.00

1. HVAC Renovations
2. Carpet / Flooring, Divider Wall, Lighting
3. “Stadium-style Seating
4. Projector and Screen System

COMPONENT B: Hall of Fame \$68,000.00

1. Plaques / Hall Display Wall
2. Moveable Display Dividers / Cases
3. Locker-Style Display Fixtures
4. Security System
5. “Silver Collection” Display Fixtures

Resolution No. 34 (Continued)

COMPONENT C: Exterior	\$8,999.00
1. Signs and Accessories	
2. Flagpoles and Accessories	
Total:	\$99,999.00

now, therefore be it

RESOLVED, That said Tourism Destination Grant shall be facilitated via grant agreement with Parkhurst Field Foundation; however, all proceeds will be earmarked for the New York State Baseball Hall of Fame development and will become fixtures permanently attached to the 45 Harrison Street building:

- Installment 1 (\$50,000.00): Advance payment 1 will be issued upon an invoice/written request from the Parkhurst Field Foundation, subsequent to the Board's grant approval Resolution.
- Installment 2 (\$40,000.00): Advance payment 2 will be issued upon an invoice/written request from the grantee accompanied by documentation of progress and actual expenses associated with Installment 1.
- Installment 3 (Final Balance, not to exceed \$9,999.00): Final installment will not be an advance. This final payment will be issued upon invoice/written request from the grantee accompanied by documentation certifying that all New York State Baseball Hall of Fame Components identified in the grant agreement have been purchased and completed.

and, be it further

RESOLVED, That the Board of Supervisors hereby awards a Tourism Destination Grant to the Parkhurst Field Foundation for improvements to the building at 45 Harrison Street, Gloversville to advance the New York State Baseball Hall of Fame Facility in an amount not to exceed \$99,999.00; and, be it further

RESOLVED, That this Resolution and grant agreement are contingent upon the Parkhurst Field Foundation and New York State Baseball Hall of Fame executing a building sub-lease agreement to maintain the Hall of Fame and its associated displays at the 45 Harrison Building location for a period of at least 10 years; and, be it further

RESOLVED, That the Chairman of the Board be, and hereby is authorized to execute a written Grant Agreement with the Parkhurst Field Foundation to promote economic growth through hospitality and tourism in accordance with this Resolution; said contract subject to the approval of the County Attorney; and, be it further

Resolution No. 34 (Continued)

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.1000.4089-4089-REV-Federal Aid-General Government Aid \$99,999.00

Appropriation:

Increase A.1000.6410-4935-EXP-County Tourism Development
(A.0688.2021-Other Liabilities-American Recovery Act) \$99,999.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Parkhurst Field Foundation, New York State Baseball Hall of Fame (dba, Rene LeRoux), Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 374 (16) Nays: 18 (1) (Supervisor Kinowski)
Absent: 137 (3) (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 35

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PAYMENT TO THE NYS OFFICE OF MENTAL HEALTH FOR COURT COMMITMENT OF AN INDIVIDUAL FOR NOVEMBER 2022

WHEREAS, a Court Order issued by Fulton County Judge and Surrogate remanded a defendant to the New York Office of Mental Health (OMH) Central New York Forensic Unit; and

WHEREAS, in accordance with Article 41 of New York State Law Mental Hygiene Law, the County is responsible for 100 percent of the charges; and

WHEREAS, Resolution 134 of 2022 authorized payment of a bill for \$24,538.65 for said remandment for the period December 15, 2021 through December 31, 2021; and

WHEREAS, Resolution 174 of 2022 authorized payment of a bill for \$44,153.61 for said remandment for the period of January 2022; and

WHEREAS, Resolution 180 of 2022 authorized payment of a bill for \$39,880.68 for said remandment for the period of February 2022; and

WHEREAS, Resolution 218 of 2022 authorized payment of a bill for \$44,153.61 for said remandment for the period of March 2022; and

WHEREAS, Resolution 256 of 2022 authorized payment of a bill for \$42,729.30 for said remandment for the period of April 2022; and

WHEREAS, Resolution 295 of 2022 authorized payment of a bill for \$44,153.61 for said remandment for the period of May 2022; and

WHEREAS, Resolution 338 of 2022 authorized payment of a bill for \$42,729.30 for said remandment for the period of June 2022; and

WHEREAS, Resolution 373 of 2022 authorized payment of a bill for \$44,153.61 for said remandment for the period of July 2022; and

WHEREAS, Resolution 401 of 2022 authorized payment of a bill for \$44,153.61 for said remandment for the period of August 2022; and

WHEREAS, Resolution 466 of 2022 authorized payment of a bill for \$42,729.30. for said remandment for the period of September 2022; and

WHEREAS, Resolution 554 of 2022 authorized payment of a bill for \$44,154.00 for said remandment for the period of October 2022; and

Resolution No. 35 (Continued)

WHEREAS, the Director of Community Services has now received a bill for November 1, 2022 through November 3, 2022 in the amount of \$2,848.62; and,

WHEREAS, to date, invoices resulting from said County Judge and Surrogate commitment and enumerated herein, total \$460,377.90; now, therefore be it

RESOLVED, That the Board of Supervisors be and hereby authorizes Court Commitment payment for an individual at the NYS Office of Mental Health Central New York Forensic Unit for an amount not to exceed \$2,848.62 for the month of November 1, 2022 through November 3, 2022; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.1000.1990-4907 – EXP – Contingent Fund Expense
To: A.4310.4310-4090 – EXP – Professional Services
Sum: \$2,849.00

RESOLVED, That the Community Services Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Judge and Surrogate, Community Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 36

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN SUPPLIES AND SERVICES USING 2022-2023 NYSDOH CHILDREN WITH SPECIAL HEALTH CARE NEEDS PROGRAM GRANT (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 403 of 2022 accepted 2022-2023 Children with Special Health Care Needs Program Grant from the NYS Department of Health in the amount of \$55,946.00; and

WHEREAS, the Fulton County Public Health Director recommends an agreement for acceptance of additional 2022-2023 Children with Special Health Care Needs Program Grant funds from the NYS Department of Health in the amount of \$33,127.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept additional Children with Special Health Care Needs Program Grant Funds, in an amount of \$33,127.00, for the period beginning October 1, 2022 through September 30, 2023; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance	\$19,761.00
Increase A.4010.4010-3450 - REV - State Aid - Public Health Other	\$33,127.00

Appropriation:

Increase A.4010.4010-4010 - EXP- Equipment - Non-Asset	\$ 975.00
Increase A.4010.4010-4100 - EXP- Advertising	1,200.00
Increase A.4010.4010-4170 - EXP- Programs	6,380.00
Increase A.4010.4010-4530 - EXP- Supplies	2,215.00
Increase A.4010.4010-4560 - EXP- Printing	2,596.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 37

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF ADDITIONAL NYS DEPARTMENT OF HEALTH COVID-19 VACCINE RESPONSE (CDVAX) GRANT
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, the NYS Department of Health has approved eligibility to promote and increase COVID-19 vaccine and other vaccine initiatives, increase COVID-19 vaccine administration access and to implement vaccine confidence strategies for COVID-19 and routine vaccinations with said grant; and

WHEREAS, Resolution 61 of 2022 authorized acceptance and use of NYS Department of Health COVID-19 Vaccine Response (CDVAX) Grant in an amount of \$63,080.00; and

WHEREAS, Resolution 182 of 2022 authorized acceptance of NYS Department of Health COVID-19 Vaccine Response (CDVAX) Grant in an amount of \$10,500.00; and

WHEREAS, Resolution 262 of 2022 authorized additional expenditures with NYS Department of Health Covid-19 Vaccine Response (CDVAX) Grant Funds in an amount of \$500.00; and

WHEREAS, Resolution 297 of 2022 authorized acceptance and use of NYS Department of Health COVID-19 Vaccine Response (CDVAX) Grant to purchase an air condition in an amount of \$800.00; and

WHEREAS, Resolution 340 of 2022 authorized acceptance of NYS Department of Health COVID-19 Vaccine Response (CDVAX) Grant to purchase a Zero Pressure Ceiling Unit Monitor and related maintenance services in the amount of \$9,562.00; and

WHEREAS, The Public Health Director requests authorization to utilize \$4,000.00 of said grant funding to promote and increase COVID-19 vaccine and other vaccine initiatives, increase COVID-19 vaccine administration equity and to implement vaccine confidence strategies for COVID-19 and routine vaccinations; now, therefore be it

RESOLVED, That the Public Health Director be, and hereby is authorized to utilize the funding for said expenses as follows:

- Adirondack Health and Wellness Center (ADK) for Administrative costs for administering the COVID-19 Vaccine
- Clinic Supplies as it relates increase COVID-19 vaccine and other vaccine initiative.

and, be it further

Resolution No. 38

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING 2022-2023 CHILDHOOD LEAD POISONING PREVENTION GRANT FROM THE NYS DEPARTMENT OF HEALTH TO OFFSET LEAD PREVENTION PROGRAM EXPENDITURES (PUBLIC HEALTH DEPARTMENT)

WHEREAS, the Fulton County Public Health Director recommends acceptance of the 2022-2023 Childhood Lead Poisoning Prevention Grant in the amount of \$43,200.00 from the NYS Department of Health; and

WHEREAS, the Public Health Director requests that a portion of said funds be transferred within Department accounts for proper alignment with expenditures; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and NYS Department of Health to accept a Childhood Lead Poisoning Prevention Grant, in an amount of \$43,200.00, for the period beginning October 1, 2022 through September 30, 2023; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the County Treasurer be and hereby is authorized to make the following transfer:

From: A.4010.4010-4530 - EXP- Supplies	\$5,350.00	
To: A.4010.4010-4010 - EXP- Equipment - Non-Asset		\$ 650.00
A.4010.4010-4100 - EXP- Advertising		4,500.00
A.4010.4010-4560 - EXP- Printing		200.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 39

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PROVIDER AGREEMENT BETWEEN THE PUBLIC HEALTH DEPARTMENT AND THE NYS DEPARTMENT OF HEALTH TO PROVIDE SERVICE COORDINATION TO CHILDREN IN THE EARLY INTERVENTION PROGRAM

WHEREAS, legislation enacted concurrently with the 2012-13 State Budget has implemented a new system for the administration of the Early Intervention Program for children in New York State; and

WHEREAS, said system will involve the implementation of a State “Fiscal Agent” that coordinates the payment of vendors for services provided to clients in the Early Intervention Program; and

WHEREAS, under the auspices of said new system, the County Public Health Department will provide Service Coordination services to the NYS Department of Health and will continue to receive Medicaid reimbursement, with any balance state-aidable at approximately 48 percent; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to sign a provider agreement between the Public Health Department and the NYS Department of Health to provide Service Coordination for Fulton County children in the Early Intervention Program from April 1, 2023 through March 31, 2024; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 40

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EXTENSION AND USE OF ELC COVID-19
CONTACT TRACING AND INVESTIGATION FUNDS FOR COVID-19 AND
MONKEYPOX ADVERTISING (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 60 of 2022 Accepted NYS Health Research Incorporated ELC COVID-19 Contact Tracing and Investigation funding in the amount of \$258,681.00 and appropriated \$138,000.00 of said funding for purchase of certain supplies, equipment and salaries to prevent the spread of COVID-19 in the Public Health Department; and

WHEREAS, Resolution 183 of 2022 authorized a contract with Public Consulting Group (PCG) for a Public Health Specialist in the amount of \$40,000.00 to conduct COVID-19 Contract Tracing and Investigation (NYS HRI Grant) for use in the Public Health Department; and

WHEREAS, the Public Health Director requests an extension to the Public Health Consulting Group contract to continue to provide one Public Health Specialist II through December 31, 2023 in an amount not to exceed \$77,200.00 for COVID-19 and Monkeypox response; now, therefore be it

RESOLVED, That said funds in the amount of \$77,200.00 be reallocated to provide an extension to the Public Health Consulting Group contract to continue to provide one (1) Public Health Specialist II through December 31, 2023 for COVID-19 and Monkeypox response; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Decrease A.1000.0599-0599 - REV - Appropriated Fund Balance	\$23,700.00
Increase A.4010.4010-2770 - REV- Other Unclassified Revenues	\$77,200.00

Appropriation:

Increase A.4010.4010-1100 – EXP - Overtime	\$10,000.00
Increase A.4010.4010-4020 – EXP - Travel	500.00
Increase A.4010.4010-4100 – EXP - Advertising	33,000.00
Increase A.4010.4010-4530 – EXP - Supplies	5,000.00
Increase A.4010.4010-4560 – EXP - Printing	5,000.00

and, be it further

Resolution No. 40 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Health Research Institute, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 41

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CHANGE ORDER WITH STA/BROWN
TRANSPORTATION FOR SITE-ROUTE 1 (2022-2023 CHILDREN WITH
HANDICAPPING CONDITIONS PROGRAM)

WHEREAS, Resolution 222 of 2022 awarded a bid to STA/Brown Transportation for children with handicapping conditions transportation program (2022-2023) for one child in the amount of \$405.95 per day; and

WHEREAS, the school district has determined that child qualifies under McKinney-Vento transportation regulations and must be transported to a location in Schenectady County three (3) days per week at an increased cost of \$75.00 per day for those days; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with STA/Brown Transportation (Specification 2022-40-02) for increased transportation Site-Route costs for as follows:

Site-Route 1:

Original Contract Rate:	\$405.95 per day
Change Order No. 1:	Add \$75.00 per day for trips that include Schenectady County location

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, STA/Brown Transportation., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 42

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CHANGE ORDER WITH AMAZING GRACE
TRANSPORTATION FOR SITE-ROUTE 8 (2022-2023 CHILDREN WITH HANDICAPPING
CONDITIONS PROGRAM)

WHEREAS, Resolution 541 of 2022 awarded a bid for Site-Route 8 to Amazing Grace for the Children With Handicapping Conditions Transportation Program (2022-2023) at a rate of \$350.00 per day; and

WHEREAS, Amazing Grace has requested a Change Order to include the cost for an Aide on the route in an additional amount of \$100.00 per day; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the Transportation contract (Quoted dated November 21, 2022) with Amazing Grace for an increased amount to include the cost of an Aide on the Site-Route 8 as follows:

Site-Route 8:

Original Contract Rate:	\$350.00 per day
Change Order No. 1:	<u>100.00 per day</u>
Revised Contract Rate:	\$450.00 per day

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Amazing Grace, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 43

Supervisors BLACKMON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF OFFICE OF TEMPORARY
DISABILITY ASSISTANCE (OTDA) TRANSPORTATION INITIATIVE PROGRAM
FUNDS (SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Commissioner of Social Services received notification from the NYS Office of Temporary and Disability Assistance that Fulton County was selected for Transportation Initiative Program funding in the amount of \$28,897.00 to operate transportation outreach in 2023; and

WHEREAS, funds are intended to remove transportation barriers for eligible Temporary Assistance for Needy Families (TANF) recipients to seek and retain employment, can be used to make vehicle repairs, pay insurance, registration, license fees, provide bus or cab transportation or gas cards to the workplace; now, therefore be it

RESOLVED, That upon the recommendation of the Commissioner of Social Services and the Committees on Human Services and Finance, the Chairman of the Board be and hereby is authorized to accept funding from the Office of Temporary and Disability Assistance (OTDA) Transportation Initiative Program in the amount of \$28,897.00, effective January 1 through December 31, 2023; and, be it further

RESOLVED, That this contract is contingent upon approval of the County Attorney; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.6010.6010-4610 - REV- Federal Aid-DSS-Administration \$28,897.00

Appropriation:

Increase A.6010.6010-4170 - EXP- Programs \$28,897.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 44

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO SIGN THE FULTON COUNTY CHILD AND FAMILY SERVICES PLAN UPDATE (2022)

WHEREAS, the Department of Social Services is required to complete and submit a Child and Family Service Plan for the period April 1, 2018 through March 31, 2023; and

WHEREAS, the current Child and Family Services Plan format requires involvement of the Department of Social Services and the County Youth Bureau, this requires the Chairman of the Board of Supervisor's signature to finalize submission of the plan; now, therefore be it

RESOLVED, That the Chairman of the Board hereby is authorized to sign the 2022 updated Child and Family Services Plan for the Department of Social Service and Youth Bureau; and, be it further

RESOLVED, That the Commissioner of Social Services do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Commissioner of Social Services, NYS Officer of Children and Family Services, Youth Bureau Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 45

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH ATTENTIVE CARE SERVICES FOR HOME HEALTH CARE SERVICES (SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Department of Social Services Commissioner recommends adding Attentive Care Services as an additional provider for Home Health Care Services; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign a contract between the County of Fulton and Attentive Care Services for Home Health Care Services provided to Fulton County residents eligible for Medicaid Long Term Care effective January 1, 2023 through December 31, 2023 at State-set rates for the following services:

- Nursing Assessments
- Nursing Supervision
- Personal Care Services through a Shared Aide Model
- Personal Care Services through a Consumer Directed Model
- Emergency Response Services
- Limited License Home Care Services

and, be it further

RESOLVED, That said contract shall be subject to the approval of the County Attorney and periodic review by the Committee on Human Services of those contracted services; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Office for Aging Director, Attentive Care Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 46

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH KIDSPEACE NATIONAL CENTER INC. FOR YOUTH RESIDENTIAL SERVICES (SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution 498 of 2022 authorized contracts between the Fulton County Department of Social Services and various Independent Contractors in 2023; and

WHEREAS, the Commissioner of Social Services is requesting to contract with the following additional residential placement service for children:

- KidsPeace National Centers of North America, Inc., Schnecksville, PA

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Fulton County Department of Social Services and said agency for residential placement for children, effective immediately through December 31, 2023, at the rate of \$575.00 per day for Room and Board and Treatment, and \$255.00 per day for Tuition; and, be it further

RESOLVED, That said contract is subject to the approval of the Social Services Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Social Services Attorney, Budget Director/ County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 47

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH NORTHEAST PARENT AND CHILD SOCIETY FOR THERAPEUTIC FAMILY FOSTER PROGRAM (TFFP) PREVENTIVE RESPITE SERVICES (SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution 498 of 2022 authorized contracts between the Fulton County Department of Social Services and various Independent Contractors in 2023; and

WHEREAS, the Commissioner of Social Services is requesting to contract with the following additional foster care services and residential placement facilities for children:

- Northeast Parent and Child Society, an affiliate of Northern Rivers Family Services, Albany, New York

now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts between the Fulton County Department of Social Services and said listed agencies for foster care services and residential placement for children, effective immediately through December 31, 2023, at state-set rates; and, be it further

RESOLVED, That said contract is subject to the approval of the Social Services Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Social Services Attorney, Budget Director/ County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 48

Supervisor BLACKMON, CALLERY AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING BACKFILL OF A SOCIAL WELFARE EXAMINER
POSITION WITH A PART-TIME SOCIAL WELFARE EXAMINER
(SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Commissioner of Social Services has requested to re-hire a retired Social Welfare Examiner on a part-time basis to assist the Department due to the former employee's extensive knowledge and training; now, therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes the Personnel Director to temporarily backfill a Social Welfare Examiner position in the Department of Social Services with a Part-time Social Welfare Examiner not to exceed 17 hours per week and not to exceed three (3) months; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Social Services Commissioner, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 49

Supervisor CALLERY AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION CHANGING THE TITLE OF DIRECTOR OF REAL PROPERTY TAX SERVICES II TO “DIRECTOR OF REAL PROPERTY TAX SERVICES”

WHEREAS, New York State determined all County Directors of Real Property were required to meet the minimum qualifications for what was known as County Director III because there was no longer a need to distinguish between a County Director I, II, and III; and

WHEREAS, the Director of Personnel petitioned the NYS Civil Service Commission to amend the Appendices for the Rules for the Classified Service of Fulton County by deleting the title of Director of Real Property Tax Services II and replacing it with Director of Real Property Tax Services and the NYS Civil Service Commission approved this request; now, therefore be it

RESOLVED, That upon the recommendation of the Personnel Director and Committees on Personnel and Finance, the title of Director of Real Property Tax Services II (Job Group D-2) be and hereby is, changed to “Director of Real Property Tax Services”, effective immediately; and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Real Property Tax Services Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 50

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A PAID LEAVE OF ABSENCE FOR PROBATION
OFFICER RONALD BRIGGS TO ACCOMMODATE HIS SERVICE IN A
CSEA REGIONAL OFFICER POSITION

WHEREAS, in 2016 the Personnel Director received a request from CSEA, Inc. that Fulton County approve Paid Leaves of Absence for Probation Officer Ronald Briggs to accommodate him to serve as Region 4 President for the Civil Service Employee’s Association, Inc., effective March 1, 2016 for a four (4) year term; and

WHEREAS, in a letter from CSEA Director of Internal Operations, Peter G. Diana (dated February 29, 2016), CSEA, Inc. committed to reimburse Fulton County for Mr. Briggs full salary and total cost of fringe benefits, including, but not limited to, Social Security, Medicare, health and dental insurance costs and NYS retirement system costs, after invoice from the County on a quarterly basis; and

WHEREAS, in 2020, Mr. Briggs was re-elected to serve another four (4) year term; and

WHEREAS, Resolution 46 of 2020 authorized a paid Leave of Absence for Mr. Briggs for the period March 1, 2020 through February 28, 2021, subject to renewal on an annual basis; and

WHEREAS, Resolution 38 of 2021 authorized a paid Leave of Absence for Mr. Briggs for the period March 1, 2021 through February 28, 2022, subject to renewal on an annual basis; and

WHEREAS, Resolution 71 of 2022 authorized a paid Leave of Absence for Mr. Briggs for the period of March 1, 2022 through February 28, 2023, subject to renewal on an annual basis; and

WHEREAS, in a letter from CSEA Director of Internal Operations, Peter G. Diana (dated January 10, 2023), CSEA, Inc. has asked for a renewal of said agreement to reimburse Fulton County for Mr. Briggs full salary and total of fringe benefits, including, but not limited to, Social Security, Medicare, health and dental insurance costs and NYS retirement system costs, after invoice from the County on a quarterly basis; and

WHEREAS, Section 207 of NYS County Law governs Leaves of Absences and specifies that “Leaves of absences shall not be in excess of one year.”; now, therefore be it

RESOLVED, That the Personnel Director is hereby authorized to issue a Paid Leave of Absence to Probation Officer Ronald Briggs to accommodate him to serve as Region 4 President for the Civil Service Employee’s Association, Inc., effective March 1, 2023 through February 28, 2024; and, be it further

Resolution No. 50 (Continued)

RESOLVED, That this Resolution and said approval for Paid Leave of Absence is contingent upon the following requirements:

1. CSEA, Inc. shall furnish a Certificate of Liability Insurance naming the County as additional insured in form and amount satisfactory to the Fulton County Attorney to protect the County for any damages arising from act or omission by Mr. Briggs during the period of such leave.
2. Mr. Briggs accrued benefit time, on record as of February 29, 2016, shall be frozen and not accrue until his paid leave of absence terminates.
3. CSEA, Inc. shall provide a written letter certifying that Mr. Briggs will be covered by statutorily-required Workers Compensation Insurance coverage provided by CSEA during said Leave of Absence period.
4. CSEA, Inc. shall reimburse Fulton County for Mr. Briggs full salary and total cost of fringe benefits, including, but not limited to, Social Security, Medicare, health and dental insurance costs and NYS retirement system costs after invoice from the County on a quarterly basis.
5. Mr. Briggs shall provide at least 45 days written notice to the County of any intention to return to duty with County government.

and, be it further

RESOLVED, That said paid leave of absence is authorized for a period not to exceed one year, effective March 1, 2023 through February 28, 2024; and, be it further

RESOLVED, That the Personnel Director, Probation Director and County Attorney do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation Director, Personnel Director, Ronald Briggs, CSEA, Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 51

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING JEREMY HORSTMAYER TO THE FULTON COUNTY
TRAFFIC SAFETY BOARD

WHEREAS, a vacancy exists on the Fulton County Traffic Safety Board; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Safety, the following individual be and hereby is appointed to the Traffic Safety Board for the balance of the term, as follows:

January 1, 2022 Through December 31, 2024:

Jeremy Horstmyer (Town of Broadalbin)

and, be it further

RESOLVED, That said appointee is required to complete the Fulton County Board of Ethics Financial Disclosure Statement and is further directed to sign the Fulton County Oath Book, located in the Fulton County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, District Attorney, Fulton County Board of Ethics, Traffic Safety Board, Jeremy Horstmyer and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 52

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AMENDING CONTRACT WITH
RURAL LAW CENTER OF NEW YORK, INC. (2023)

WHEREAS, Resolution 501 of 2022 authorized a Memorandum of Understanding between Fulton County and Rural Law Center of New York, Inc. to provide mandated appeals representation in 2023; and

WHEREAS, Rural Law Center of New York, Inc. notified Assigned Counsel Administrator of an increase in the amount per appeal for 2023; and

WHEREAS, said rates for Appeal Services shall be updated as follows:

<u>Vendor</u>	<u>Current Rate</u>	<u>New Rate</u>
Rural Law Center of NY, Inc.	\$2,500.00	\$3,000.00 per regular appeal

and, be it further

RESOLVED, That said contract shall provide, among other matters, that the right and privilege shall be reserved to the Fulton County Board of Supervisors to cancel and rescind all or any part of such contracts should any program or project offered or sponsored by said contractors not meet with the approval of the Board of Supervisors; and, be it further

RESOLVED, That the proper Fulton County official shall apply for and collect the appropriate State Aid from the appropriate New York State agency; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Assigned Counsel Administrator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 53

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF NYS OFFICE OF INDIGENT
LEGAL SERVICES GRANT DISTRIBUTION NO. 10 (C100017) FOR 2023
(PUBLIC DEFENDER)

WHEREAS, Resolution 358 of 2019 authorized acceptance of 2020-2022 NYS Office of Indigent Legal Services Grant Distribution No. 10 to continue part-time Sixth Assistant Public Defender position; and

WHEREAS, the New York State Office of Indigent Legal Services has extended said grant period for the 2020-2022 Indigent Legal Services Grant until December 31, 2023; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract extension with the New York State Office of Indigent Legal Services for the period January 1, 2023 through December 31, 2023, for said Grant Distribution No. 10 (C100017); all other terms and aspects of said contract shall remain in full force and effect; and, be it further

RESOLVED, That the Public Defender do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Defender, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 54

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF NYS OFFICE OF INDIGENT
LEGAL SERVICES GRANT DISTRIBUTION NO. 10 (C130017) FOR 2023
(PUBLIC DEFENDER)

WHEREAS, Resolution 358 of 2019 authorized acceptance of NYS Office of Indigent Legal Services Grant Distribution No. 10 to offset costs for the part-time Sixth Assistant Public Defender position for 2020-2022; and

WHEREAS, the New York State Office of Indigent Legal Services has authorized a new three-year grant for the said Indigent Legal Services Grant Distribution 10 until December 31, 2025; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the New York State Office of Indigent Legal Services for the period January 1, 2023 through December 31, 2025, for said Contract C130017, Grant Distribution No. 10 in the amount of \$110,124.00 (\$36,708.00 per year); all other terms and aspects of said contract shall remain in full force and effect; and, be it further

RESOLVED, That the Public Defender do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Defender, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 55

Supervisors GROFF AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION WAIVING THE RESIDENCY RULE FOR THE HIRE OF A PART-TIME ASSISTANT PUBLIC DEFENDER IN THE PUBLIC DEFENDERS OFFICE

WHEREAS, there is a pending vacancy in the Assistant Public Defender (Family Court) position in the Public Defender's Office; and

WHEREAS, the Public Defender is experiencing difficulty filling said Assistant Public Defender (Family Court) position in the Public Defender's Office after extensive recruitment efforts and advertising; and

WHEREAS, the Public Defender has requested that the Board of Supervisors waive the Residency Rule for the hire of the Part-time Assistant Public Defender position assigned to Family Court in order to attract qualified candidates; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Personnel, the Public Defender be, and hereby is, authorized to hire an out-of-county resident for the part-time Assistant Public Defender vacancy if necessary, in this instance only; and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Defender, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 56

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF A 2022-2023 CRIMINAL JUSTICE
DISCOVERY REFORM GRANT FROM THE NYS DEPARTMENT OF CRIMINAL
JUSTICE SERVICES (DISTRICT ATTORNEY)

WHEREAS, Resolution 305 of 2022 authorized application for a 2022-2023 Criminal Justice Discovery Reform Grant from the NYS Department of Criminal Justice Services for use in the District Attorney’s Office; and

WHEREAS, the District Attorney received a 2022-2023 Criminal Justice Discovery Reform Grant from the NYS Division of Criminal Justice Services in the amount of \$219,093.00 to offset local implementation of discovery and bail reforms that took effect January 1, 2020; and

WHEREAS, the District Attorney has proposed to distribute said funds to local agencies as follows:

Fulton County District Attorney	\$204,093.00
Fulton County Probation Department	\$ 10,000.00
Gloversville Police Department	<u>\$ 5,000.00</u>
Total	\$219,093.00

now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2022-2023 Criminal Justice Discovery Reform Grant from the NYS Division of Criminal Justice Services in the amount of \$219,093.00 to offset local implementation of discovery and bail reforms; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.1165.1165-3389-REV-State Aid-Other Public Safety	\$219,093.00
Decrease A.1000.0599-0599-REV-Appropriated Fund Balance	\$204,093.00

Appropriation:

Increase A.1165.1165-4130-EXP- Contractual	\$ 15,000.00
--	--------------

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Sheriff, Citizens in Community Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 57

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT BETWEEN THE PROBATION
DEPARTMENT AND AUTOMON FOR PROBATION CASE MANAGEMENT
SOFTWARE MAINTENANCE (2023)

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Probation Department and Automon, of Scottsdale, AZ, for maintenance of Probation Case Explorer software, effective January 1, 2023 through December 31, 2023, at a cost not to exceed \$8,671.45; and, be it further

RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 58

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING “RAISE THE AGE” CONTRACT FOR THE FULTON
COUNTY PROBATION DEPARTMENT (2023)

RESOLVED, That the Chairman of the Board be and hereby is authorized and empowered to sign a Raise the Age (RTA) contract between the Fulton County Probation Department and Citizens in Community Services (Youth Services), commencing January 1, 2023 through December 31, 2023 at a cost not to exceed \$5,000.00; and

RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 59

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE LEASE OF
ONE (1) SEDAN FOR USE IN THE PROBATION DEPARTMENT

WHEREAS, the Probation Director recommends leasing one (1) sedan to perform field visits and to attend trainings; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the lease of one (1) sedan for use in the Department of Social Services (and according to further specifications which may be obtained at the Office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, March 22, 2023 at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation Director, Budget Director/County Auditor and Administrative Officer/Purchasing Agent.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 60

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF 2022 NYS
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES GRANT
FUNDING UNDER THE STATE HOMELAND SECURITY PROGRAM (SHSP) AND
STATE LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SLETPP)

WHEREAS, Fulton County has been notified that it received \$72,533.00 in grant funds from State Homeland Security Program (SHSP) and State Law Enforcement Terrorist Prevention (SLETPP) component of the 2022 NYS Homeland Security Program; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committees on Public Safety and Finance, the Civil Defense Director/Fire Coordinator be and hereby is authorized to accept and expend 2022 Homeland Security Grant Funds to purchase the items identified herein in 2023, in approximate amounts, as follows:

Purchase and Install Mobile Radios in Patrol Vehicles	\$21,766.00
First Aid Equipment/Supplies	\$11,097.00
36 Month Subscription/Maintenance Costs for IamResponding	\$14,200.00
24 Month Subscription/Maintenance Costs w/ EMO App	<u>\$ 9,990.00</u>
Total:	\$57,053.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.3110.3645-3306-REV-State Aid-Homeland Security	\$21,766.00
Increase A.3640.3645-3306-REV-State Aid-Homeland Security	\$35,287.00

Appropriation

Increase A.3110.3645-2000-EXP-Equipment-Fixed Asset	\$21,766.00
Increase A.3640.3645-4010-EXP-Equipment-Non-Asset	\$ 7,097.00
Increase A.3640.3645-2000-EXP-Equipment-Fixed Asset	\$ 4,000.00
Increase A.3640.3645-4130-EXP-Contractual	\$24,190.00

RESOLVED, That the Civil Defense/Fire Coordinator and Sheriff is hereby directed to carry out said purchases expeditiously and complete all grant requirements in 2023; and, be it further

RESOLVED, That the Civil Defense Director/ Fire Coordinator, Sheriff and Budget Director/County Auditor do each and every other thing necessary to further the purport of this Resolution; and, be it further

Resolution No. 60 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director, Sheriff, Budget Director/County Auditor, Administrative Officer/Clerk of the Board.

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 61

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF A
2021-2022 NYS INTEROPERABLE COMMUNICATIONS GRANT
(EMERGENCY MANAGEMENT OFFICE)

WHEREAS, Fulton County has been notified that it has been awarded a 2021-2022 NYS Interoperable Communications Grant in the amount of \$993,962.00; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2021-2022 Interoperable Communications Grant in the amount of \$993,962.00 to improve communication, and control of public safety operations within Fulton County; and, be it further

RESOLVED, That the Civil Defense Director/Fire Coordinator shall prepare a detailed plan for use of the grant funds and proceeding shall be subject to the Board of Supervisors approval by Resolution; and, be it further

RESOLVED, That the Civil Defense/Fire Coordinator and County Treasurer do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 62

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE 2023 CAPITAL PLAN TO ESTABLISH
INTEROPERABLE COMMUNICATIONS UPGRADE PROJECT - 2023**

WHEREAS, the Civil Defense Director/Fire Coordinator has been notified that Fulton County was awarded \$993,962.00 from the NYS Interoperable Communications Grant Program (2021-2022) to enhance the Public Safety Radio and Microwave Systems; and

WHEREAS, Resolution 61 of 2023 authorized application and acceptance of said 2021-2022 NYS Interoperable Communications Grant for use in the Emergency Management Office; now, therefore be it

RESOLVED, That the 2023 Capital Plan be and hereby is amended to include an “Interoperable Communications Upgrade Project - 2023” in the Emergency Management Office in the amount of \$993,962.00 with the following components:

- Upgrade Current NOKIA Microwave System (6 sites) \$410,000.00
 - Purchase/Installation of Remote Diagnostics/Monitoring (6 sites) \$350,000.00
 - Professional Services Costs \$28,962.00
 - Base Radios, Duplexer and Accessories (new EMS Frequency) \$120,000.00
 - Back-up Generator/DC Plant (Broadalbin Tower) \$85,000.00
- Total: \$993,962.00

and, be it further

RESOLVED, the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase H.3640.3020-3397.0971 – REV – State Aid – Interoperable \$993,962.00
Communications Upgrade Project – 2023 (NEW)

Appropriation:

Increase H.3640.3020-2100.0971 – EXP – Interoperable Communications \$993,962.00
Upgrade Project – 2023 (NEW)

Resolution No. 62 (Continued)

RESOLVED, That the County Treasurer and Civil Defense Director/Fire Coordinator do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 63

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH LIGHTSPEED TECHNOLOGIES TO
UPGRADE THE FULTON COUNTY MICROWAVE RADIO SYSTEM
(2023 CAPITAL PLAN)**

WHEREAS, Resolution 61 of 2023 authorized application and acceptance of a 2021-2022 NYS Interoperable Communications Grant; and

WHEREAS, Resolution 62 of 2023 amended the 2023 Capital Plan to establish an Interoperable Communications Upgrade Project - 2023; and

WHEREAS, the Civil Defense Director recommends a contract with LightSpeed Technologies to upgrade the Fulton County Microwave Radio System in the amount of \$406,251.16; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Lightspeed of Wall, New Jersey (NYS OGS Contract PM67989) to upgrade the Fulton County Microwave Radio System as a component of the Fulton County Interoperable Communications Upgrade Project - 2023, for hardware, installation and maintenance services as follows:

• Router (7705) Upgrade	
- Hardware	\$43,420.00
- Installation and Integration	19,032.00
- Program Management	3,900.00
- Engineering	10,200.00
- Maintenance Contract (5-year)	<u>38,220.00</u>
	114,772.00
• Radio (MPR9500) Upgrade	
- Hardware	207,033.00
- Installation and Integration	35,076.00
- Program Management	11,200.00
- Engineering	12,670.00
- Maintenance Contract (5-year)	<u>25,500.00</u>
	291,479.00

Total: \$406,251.00

and, be it further

Resolution No. 63 (Continued)

RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Lightspeed/Nokia, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 64

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION FOR 2022-2023 PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT FROM NYS OHSES (SHERIFF)

WHEREAS, the Sheriff has been notified of the availability of a 2022-2023 Public Safety Answering Points Operations Grant from the NYS Department of Homeland Security to make investments in new functionality and/or technology to improve emergency dispatch systems; and

WHEREAS, the Sheriff desires to submit an application to the New York State Department of Homeland Security and Emergency Services for a 2022-2023 PSAP Operations Grant to fund personnel services and benefits for the Communications Division; and

WHEREAS, the range of past grant allocations has been between \$150,000.00 and \$200,000.00 for said purposes; and

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Board of Supervisors hereby authorizes application for said 2022-2023 Public Safety Answering Points (PSAP) Operations Grant to the New York State Department of Homeland Security and Emergency Services for the period of October 1, 2022, through September 30, 2023; and, be it further

RESOLVED, That if said grant application is approved, the Sheriff shall return to the Board of Supervisors with a detailed plan for use of the grant funds and proceeding shall be subject to the Board of Supervisors approval by Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, NYS Department of Homeland Security and Emergency Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 65

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE SHERIFF TO APPLY FOR A 2023-2024
GOVERNOR’S TRAFFIC SAFETY COUNCIL POLICE TRAFFIC SERVICES GRANT**

WHEREAS, the Sheriff desires to submit an application to the Governor’s Traffic Safety Committee for a 2023-2024 Police Traffic Services Grant to support overtime for Sheriff’s patrols related to “Buckle Up NY” and School Zones Safety enforcement during the grant cycle of October 1, 2023 through September 30, 2024; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Safety, the Chairman of the Board be and hereby is authorized to sign and submit an application to the Governor’s Traffic Safety Committee for Police Traffic Services grant funds; now, therefore be it

RESOLVED, That if said grant application is successful, the Sheriff shall return to the Board of Supervisors for acceptance and appropriation of any grant proceeds; and, be it further

RESOLVED, That the Sheriff do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Traffic Safety Board, Governor’s Traffic Safety Committee, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 66

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION TO THE NYS DEPARTMENT OF
CRIMINAL JUSTICE SERVICES (DCJS) SOFT BODY ARMOR GRANT PROGRAM
(SHERIFF'S DEPARTMENT)

WHEREAS, the Sheriff desires to submit an application to the NYS Department of Criminal Justice Services (DCJS) Soft Body Armor Grant Program during the 2023 grant cycle to assist in the purchase of nine (9) law enforcement protective vests that are included in the 2023 Adopted Budget; and

WHEREAS, the Sheriff also desires to submit an application to the NYS Department of Criminal Justice Services (DCJS) for a Soft Body Armor Grant Program to receive 50 percent reimbursement of said protective vests; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to sign and submit applications to the NYS Department of Criminal Justice Services (DCJS) for said grant funds; now, therefore be it

RESOLVED, That if said grant application is successful, the Sheriff shall return to the Board of Supervisors for acceptance and appropriation of any grant proceeds; and, be it further

RESOLVED, That the Sheriff do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, U.S. Department of Justice, NYS Department of Criminal Justice Services, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 67

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION RE-APPROPRIATING CERTAIN FUNDS FROM 2022 INTO THE 2023
BUDGET FOR TRAINING SERVICES FOR AXON CAMERAS**

WHEREAS, Resolution 356 of 2022 authorized acceptance of the Bureau of Justice 2022 Assistance Small, Rural and Tribal Body-Worn Camera Program Grant in the amount of \$9,431.00

WHEREAS, Resolution 556 of 2022 authorized a 5-year contract with Axon Enterprises, Inc. for Body Camera System including hardware, software and services for use in the Sheriff's Department; and

WHEREAS, associated cameras were ordered in 2022, but have not yet arrived at the Sheriff's Department; and

WHEREAS, Axon training for officers must be done after said cameras are delivered and installed; and

WHEREAS, the Sheriff requests re-appropriating certain 2022 grant funds originally designated for said training in the amount of \$4,125.00 into the 2023 Budget; now, therefore be it

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.3110.3110-4389 – REV – Federal Aid – Other Public Safety \$4,125.00

Appropriation

Increase A.3110.3110-4130 - EXP- Contractual \$4,125.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 68

Supervisors GROFF AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH MARYANN BALDWIN FOR CIVIL OFFICE CLERK CONSULTING SERVICES IN THE SHERIFF'S DEPARTMENT

WHEREAS, unanticipated vacancies in the Sheriff's Civil Office division have resulted in a staffing shortage until new Civil Clerks can be hired and trained; and

WHEREAS, the Sheriff has requested to contract with retired Senior Civil Clerk Mary Ann Baldwin to provide Civil Clerk services on a temporary basis to assist the Civil Office; and

WHEREAS, the Committees on Public Works and Personnel recommend contracting with Ms. Baldwin on a temporary basis to provide the Sheriff's Department with her experience and knowledge of Civil Office duties for training of other staff; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Mary Ann Baldwin of Gloversville, New York for Senior Civil Clerk Services, effective retroactive to mid-December 2022 through March 31, 2023, at a rate of \$23.72 per hour, not to exceed 12 hours per week, at a total cost not to exceed \$4,556.00; said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Sheriff, Mary Ann Baldwin, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 69

Supervisors GROFF, CALLERY AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION CREATING AN EMERGENCY SERVICES DISPATCHER POSITION IN THE SHERIFF’S DEPARTMENT

WHEREAS, During 2023 Budget deliberations, the Sheriff proposed the creation of a new Emergency Services Dispatcher position, effective January 1, 2023; and

WHEREAS, after its review in the fall of 2022, the Committee on Finance did not recommend said new position in the Tentative Budget for 2023; and

WHEREAS, the Chairman of the Public Safety Committee and Sheriff requested that the Board of Supervisors reconsider the need for the Emergency Services Dispatcher position and create it at this time; and

WHEREAS, in response to said request, the Committees on Public Safety, Personnel and Finance have reviewed the current department structure and potential benefits of said position, and recommend creating a full-time Emergency Services Dispatcher position in this instance; now, therefore be it

RESOLVED, That there be, and hereby is, created one (1) Emergency Services Dispatcher position (Union Job Group OEA S-5; 2021 Start Rate: \$17.75 per hour) in the Sheriff’s Department; effective immediately; and, be it further

RESOLVED, The County Treasurer be and hereby is directed to make the following transfer:

From: A.1000.1990-4907 – EXP – Contingent Fund Expense	\$78,213.00	
To: A.3110.3113-1000 – EXP – Payroll		\$43,431.00
A.3110.3113-8000 – EXP – State Retirement		4,126.00
A.3110.3113-8100 – EXP – Social Security		3,323.00
A.3110.3113-8500 – EXP – Hospital Medical		26,135.00
A.3110.3113-8600 – EXP – Dental		1,198.00

RESOLVED, That the Personnel Director and Sheriff do each and everything necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff’s Department, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 70

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING CAPITAL PROJECT ACCOUNT FOR THE VEHICLE
TABLET/COMPUTER UPGRADES IN THE SHERIFF'S DEPARTMENT
(2023 CAPITAL PLAN)

WHEREAS, Resolution 452 of 2022 accepted the three-year Capital Plan for Fulton County which included a "Vehicle Tablet/Computer Upgrade Project" for the Sheriff's Department; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.1000.9950-9000.1000 - EXP- Other - Unrestricted
To: A.3110.3110-2010 - EXP- Capital Expense
Sum: \$56,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 71

Supervisor GROFF AND CALLERY offered the following Resolution and moved its adoption:

RESOLUTION PERMANENTLY APPOINTING ROGER PAUL TO THE POST OF
PUBLIC DEFENDER

WHEREAS, Resolution 562 of 2018 appointed Roger Paul as Public Defender effective January 1, 2019; and

WHEREAS, in accordance with Civil Service Law §20.0, the Director of Personnel procured the approval of a resolution by said Civil Service Commission to amend the Appendices of the Rules for the Classified Civil Service of Fulton County by adding Public Defender, as a full-time position, to the Non-Competitive Class; now, therefore be it

RESOLVED, That in accordance with NYS Civil Service Rules and upon the recommendation of the Committees on Public Safety and Personnel, effective immediately, Roger Paul, of Johnstown, NY, be and hereby is appointed Public Defender (Job Group D-3), subject to a probationary period of 12 weeks; and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Defender, Personnel Director, All Department Heads, NYS Civil Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 72

Supervisor GROFF AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION PERMANENTLY APPOINTING CHRISTOPHER STANYON TO THE POST
OF ASSIGNED COUNSEL ADMINISTRATOR**

WHEREAS, Resolution 290 of 2019 created the part-time department head position of Assigned Counsel Administrator; and

WHEREAS, Resolution 87 of 2021 appointed Christopher Stanyon as Assigned Counsel Administrator effective April 1, 2021; and

WHEREAS, in accordance with Civil Service Law §20.0, the Director of Personnel procured the approval of a resolution by said Civil Service Commission to amend the Appendices of the Rules for the Classified Civil Service of Fulton County by adding Assigned Counsel Administrator (part-time) to the Non-Competitive Class; now, therefore be it

RESOLVED, That in accordance with NYS Civil Service Rules and upon the recommendation of the Committees on Public Safety and Personnel, effective immediately, Christopher Stanyon, of Gloversville, NY, be and hereby is appointed Assigned Counsel Administrator (Part-time, 17 hours per week with benefits), subject to a probationary period of 12 weeks; and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Assigned Counsel Administrator, Personnel Director, All Department Heads, NYS Civil Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 73

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SUBMITTAL OF 2021-2023 FEDERAL SECTION 5311
CONSOLIDATED TRANSPORTATION GRANT APPLICATION FOR SPONSORS WITH
CONTINUING AGREEMENTS

WHEREAS, Fulton County is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for Fulton County's Commuter Run through I. Persch Transit, Inc. for the project years 2021-2023; and

WHEREAS, Fulton County and the State of New York have entered into a continuing agreement which authorizes the undertaking of the project and payment of the Federal share; and

WHEREAS, Fulton County is contracting with a third-party subcontractor for the project described above; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors is, be and hereby, authorized to act on the behalf of Fulton County to sign the application and progress and complete the above-named project; and, be it further

RESOLVED, That the Chairman of the Board of Supervisors is authorized to sign any contracts or agreements between Fulton County and any third-party subcontractor necessary to complete the public transportation project, subject to the approval of the Fulton County attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Department of Transportation, Statewide Mass Transportation Operating Assistance Program, I. Persch Transit, Planning Director, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency who may further the purport of this Resolution.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 74

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR PURCHASE OF A BULLDOZER FOR USE IN THE SOLID WASTE DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes the purchase of a Bulldozer for use in the Solid Waste Department at an estimated cost of \$550,000.00; and

WHEREAS, the Purchasing Agent recommends advertising bid specifications for one (1) new Bulldozer; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of a new Bulldozer for use in the Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, 223 West Main Street, Room 203, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, March 22, 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 75

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR HORIZONTAL
LANDFILL EXPANSION PROJECT (PHASE VI) AT THE FULTON COUNTY
DEPARTMENT OF SOLID WASTE (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a Landfill Expansion Construction Project (Phase VI) in the amount of \$3,750,000.00; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for Landfill Expansion Construction Project (Phase VI) located at the Solid Waste Department; and, be it further

RESOLVED, That such bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, 223 West Main Street, Room 203, County Building, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, March 29, 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Budget Director/County Auditor and Purchasing Agent.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 76

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR LITTER FENCING AT THE SOLID WASTE DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes Portable Litter Fencing in the amount of \$50,000.00; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for Portable Litter Fencing located at the Solid Waste Department; and, be it further

RESOLVED, That such bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, 223 West Main Street, Room 203, County Building, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, March 22, 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Budget Director/County Auditor and Purchasing Agent.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 77

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR ONE (1)
RECYCLABLES EJECTION TRAILER FOR USE IN THE SOLID WASTE DEPARTMENT
(2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes one (1) Recyclables Ejection Trailer for use in the Solid Waste Department; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of one (1) Recyclables Ejection Trailer for use in the Solid Waste Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, Room 203, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, 22 March 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 78

Supervisors BRADT and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PAYMENT TO UNITED CONSTRUCTION & FORESTRY
FOR REPAIRS TO A JOHN DEERE 850K2 BULLDOZER IN THE SOLID WASTE
DEPARTMENT

WHEREAS, the Department of Solid Waste received a bill from United Construction and Forestry dated 20 January 2023 in the amount of \$29,046.97 for extensive diagnostics and repairs to the John Deere 850 K2 bulldozer; and

WHEREAS, \$11,113.10 of said bill was covered through manufacturer's warranty leaving a balance of \$17,933.57 as County cost; and

WHEREAS, because the final repair costs dramatically exceeded the Purchase Order authorized for said repair, the invoice cannot be paid without special approval from the Board of Supervisors; and

WHEREAS, the Solid Waste Director requests retroactive approval to pay the invoice for said diagnostics and repairs ordered without authorization, at a total cost not to exceed \$17,933.57; now, therefore be it

RESOLVED, That the Board of Supervisors hereby authorizes payment of the claim from United Construction and Forestry in the amount of \$17,933.57 for diagnostics and repairs to the John Deere 850 K2 bulldozer; and, be it further

RESOLVED, that the Solid Waste Director and County Auditor do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 79

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR VARIOUS HIGHWAY CONSTRUCTION MATERIALS FOR USE IN THE DEPARTMENT OF HIGHWAYS AND FACILITIES (2023)

WHEREAS, the Committee on Public Works recommends advertising for bids for various highway construction materials; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of construction materials for use by the Department of Highways and Facilities (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Building, 223 West Main Street, Room 203, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent County Office Building, 223 West Main Street Room 203, Johnstown, NY, 12095, and received by said Purchasing Agent no later than the dates and times identified below, at which time and place they will be opened and recorded:

GROUP 1 - Wednesday, March 8, 2023 at 2:00 p.m.:

- Acrylic Water Borne Pavement Markings
- Bridge Repair
- Pneumatically Projected Concrete
- Ready Mix Concrete
- Lubricants
- Vegetation Control

GROUP 2 - Wednesday, March 15, 2023 at 2:00 p.m.:

- Plant Mixed Patching Material
- Coarse Aggregates – Crushed Stone, Crushed Gravel
- Asphalt Concrete
- Hot Mix Paving

GROUP 3 - Thursday, March 16, 2023 at 2:00 p.m.:

- Corrugated Metal & Polyethylene Pipe
- Guide Railing-Used Box Beam Guide Rail
- Cold-In Place Recycling Type I
- Cold Planing
- In-Place Road Base Stabilization
- Cold In-Place Recycling-Hammermill Method
- Hot In-Place Recycling
- Abrasives Snow & Ice Control

Resolution No. 79 (Continued)

and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 80

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR SECURITY WINDOW REPLACEMENT AT THE FULTON COUNTY CORRECTIONAL FACILITY (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a Security Window Replacement Project at the Correctional Facility; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Security Window Replacement Project at the Correctional Facility (and according to further specifications which may be obtained at the office of the Purchasing Agent, County Building, 223 West Main Street, Room 203, County Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, 15 March 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Highways and Facilities Superintendent, Budget Director/County Auditor and Administrative Officer/ Purchasing Agent.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 81

Supervisor BRADT offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF
A RUBBER TIRED EXCAVATOR FOR USE IN THE HIGHWAYS AND FACILITIES
DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes the purchase of a Rubber Tired Excavator for the Highway Department; and

WHEREAS, the Purchasing Agent recommends advertising bid specifications for one (1) new Rubber Tired Excavator; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids for the purchase of a new Rubber Tired Excavator for use in the Highway Department (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, 223 West Main Street, Room 203, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Office Building, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, March 15, 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 82

Supervisors BRADT and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION RE-APPROPRIATING 2022 FUNDS INTO THE 2023 BUDGET FOR THE
PURCHASE OF A 2023 WESTERN STAR TRUCK IN THE
HIGHWAYS AND FACILITIES DEPARTMENT

WHEREAS, the 2022 Capital Plan included the purchase of a 2023 Western Star Tandem Dump Truck for the Highways and Facilities Department; and

WHEREAS, a Purchase Order was approved, and a 2023 Western Star Tandem Dump Truck from Tracey Road Equipment Inc. via Onondaga County Bid #8996 at a cost of \$261,753.49 was ordered; and

WHEREAS, the 2023 Western Star Tandem Dump Truck has not been delivered due to a delay in production and the Superintendent of Highways and Facilities requests re-appropriating said funds to 2023 based upon a revised delivery date; and

WHEREAS, Tracey Road Equipment Inc, Syracuse, NY, has notified the Superintendent of Highways and Facilities of a projected build date of 4th quarter 2023; now, therefore be it

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase DM.1000.0599-0599-REV-Appropriated Fund Balance	\$261,754.00
--	--------------

Appropriation:

Increase DM.5130.5130-2010-EXP-Capital Expense	\$261,754.00
--	--------------

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 83

Supervisors BRADT and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION RE-APPROPRIATING 2022 FUNDS INTO THE 2023 BUDGET FOR THE WINDOW REPLACEMENT PROJECT AT THE COUNTY OFFICE BUILDING (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan included a Window Replacement Project at the Fulton County Office Building in the amount of \$250,000.00 funded with Capital Improvement Reserves; and

WHEREAS, Resolution 162 of 2022 authorized advertisement for bids for the County Office Building Window Replacement Project; and

WHEREAS, Resolution 235 of 2022 awarded bid for said Window Replacement Project in the County Office Building to Sahl’s Glass & Glazing, Inc. Whitesboro, NY in the amount of \$277,278.00, exceeding the budgeted amount by \$27,278.00; and

WHEREAS, said Window Replacement Project will not be completed until early in 2023; and

WHEREAS, Superintendent of Highways and Facilities requests re-appropriating \$181,655.00 to complete said Window Replacement Project in 2023; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A-0883.0800-Capital Improvements Reserve
To: A-0909-Unreserved Fund Balance
Sum: \$181,655.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase A.1000.0511-0511-REV-Appropriated Reserves \$181,655.00

Appropriation

Increase A.1620.1620-2010.1200-EXP-Capital Improvements Expense \$181,655.00

Resolution No. 83 (Continued)

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 84

Supervisors BRADT and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION RE-APPROPRIATING STATE REVENUE FUNDS INTO THE 2023 BUDGET TO PURCHASE HIGHWAY MOWERS

WHEREAS, Resolution 199 of 2022 appropriated additional State revenue for projects on certain County roads for the Highways and Facilities Department (2022 Capital Plan)

WHEREAS, Resolution 200 of 2022 authorized purchase of unscheduled highway mowers for use in the Highways and Facilities Department with a portion and amending the 2022 Capital; and

WHEREAS, one (1) Purchase Order was approved to purchase two (2) tractors from Deere and Company at a cost of \$194,510.96 and one (1) Purchase Order was approved to purchase one (1) rear cradle boom with flail mower from Stephenson Equipment, Inc. in the amount of \$73,828.59 and one (1) Purchase Order was approved to purchase one (1) rear cradle boom with rotary brush hog at a cost of \$70,392.91 and said three (3) items were ordered with a delivery date of March 2023; and

WHEREAS, said items will not be delivered due to a delay in production and the Superintendent of Highways and Facilities requests re-appropriating \$338,733.00 of said funds to 2023 based upon a revised delivery date; now, therefore be it

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue:

Increase D.5010.5112-3589-REV-State Aid-Other Transportation	\$338,733.00
Increase DM.5130.5130-2801-REV-Interfund Revenues	338,733.00

Appropriation:

Increase D.5010.5112-4130-EXP-Contractual	\$338,733.00
Increase DM.5130.5130-2010-EXP-Capital Expense	338,733.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 85

Supervisors BRADT and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE PURCHASE OF A 2023 JOHN DEERE 2032R IN PLACE OF A 2023 JOHN DEERE 2025R FOR USE IN THE HIGHWAYS AND FACILITIES DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes the purchase of a John Deere 2025R (18HP) Compact Utility Tractor for use in the Facilities Division in an amount not to exceed \$38,000.00; and

WHEREAS, the Superintendent of Highways and Facilities has reviewed the brush-hogging requirements of Tryon Technology Park lands maintained for Fulton County Sewer District No. 4 and recommends a larger tractor for said purpose; and

WHEREAS, the Superintendent of Highways and Facilities requests the purchase of a larger John Deere 2032R (25HP) Tractor available via NYS OGS state contract PC69683 at a cost of \$46,397.46 which is a \$8,397.46 increase from said appropriated amount of \$38,000.00; and

WHEREAS, the Committees on Public Works and Finance have reviewed said substitution request and concur with the proposal; now, therefore be it

RESOLVED, That the 2023 Capital Plan be and hereby is amended to substitute the purchase of a 2023 John Deere 2025R (18HP) with the purchase of a 2023 John Deere 2032R (25HP) in an amount not to exceed \$46,397.46; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A.1000.1990-4907-EXP-Contingent Fund Expense
To: A.1620.1621-2010-EXP-Capital Expense
Sum: \$8,398.00

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 86

Supervisors BRADT and CALLERY offered the following Resolution and moved its adoption:

RESOLUTION PERMANENTLY APPOINTING SCOTT HENZE TO THE POST OF
PLANNING DIRECTOR

WHEREAS, Resolution 460 of 2017 appointed Scott Henze as Planning Director effective January 15, 2018; and

WHEREAS, in accordance with Civil Service Law §20.0, the Director of Personnel procured the approval of a resolution by said Civil Service Commission to amend the Appendices of the Rules for the Classified Civil Service of Fulton County by adding Planning Director to the Non-Competitive Class; and, be it further

RESOLVED, That in accordance with NYS Civil Service Rules and upon the recommendation of the Committees on Public Works and Personnel, effective immediately, Scott Henze of Northville, NY, be and hereby is appointed Planning Director (Job Group D-3), subject to a probationary period of 12 weeks; and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Personnel Director, All Department Heads, NYS Civil Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 87

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING LEGAL SETTLEMENT OF “DEVYN SLEEZER VERSUS
THE COUNTY OF FULTON”

WHEREAS, Devyn Sleezer filed a lawsuit against Fulton County for an incident that allegedly occurred in the Fulton County Correctional Facility in 2021; and

WHEREAS, NYMIR assigned Murphy Burns, LLP as counsel to represent Fulton County in said action; now, therefore be it

RESOLVED, That the Chairman of the Board be, and hereby is, authorized to execute a Settlement Agreement and release in regard to “Devyn Sleezer vs. the County of Fulton”, wherein the County of Fulton shall contribute \$5,000.00 toward settlement; and, be it further

RESOLVED, That said Settlement Agreement and Release shall be executed with the advise and consent of the County Attorney; and, be it further

RESOLVED, That said settlement payment of \$5,000.00 shall be a charge against A.3110.3150-4090-EXP-Professional Services; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 88

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS (TEVA/NEW YORK)

WHEREAS, there is pending the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No, 400001/2017 in the Supreme Court, Suffolk County regarding the opioid addiction crisis, in which the County of Fulton is named plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants TEVA/New York (the “Distributors”) based on claims that the Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others in Suffolk County, all of which contributed to a public health crisis in Fulton County; and

WHEREAS, the Distributors have offered to settle the County of Fulton’s claims against it by paying the sum totaling approximately \$258,400.11 over eighteen (18) years and agreeing to implement injunctive relief under a controlled substance monitoring program; and

WHEREAS, in the opinion of the County Attorney, it is in the best interest of the County of Fulton to resolve this matter with respect to the Distributors without further litigation and enter into the proposed Agreement as it shall settle all allegations against the Distributors and avoid protracted litigation; now, therefore be it

RESOLVED, that the execution and delivery on behalf of and in the name of the County of Fulton by the Chairman of the Board, or County Attorney, as his designee, of the proposed Agreement is hereby authorized, and the Chairman of the Board, or his designee, is hereby authorized, subject to County Attorney approval, and directed to execute the proposed Agreement in a form substantially similar thereto and execute such other documents as may be necessary and appropriate to effectuate the settlement with the Distributors; and, be it further

RESOLVED, That in settling said lawsuit TEVA/New York, the following payments shall accrue to Fulton County in 2023 with additional payments being issued from 2024 through 2040:

	<u>2023</u>
Global Direct Unrestricted	\$3,736.57
Global Direct Abatement	\$6,988.77
Premium Direct Unrestricted	\$7,264.60
Premium Direct Abatement	<u>\$8,875.93</u>

Total \$26,865.87

Resolution No. 88 (Continued)

RESOLVED, That this Board of Supervisors, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Section 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collections, and the Fulton County Planning Department is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and, be it further

RESOLVED, That upon the recommendation of the Committee on Finance, the County Attorney be, and hereby is delegated to execute pending similar structured opioid settlements on the County's behalf against the following with a settlement report to the Board after such execution: Allergan, CVS, Walgreens, Walmart; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, New York State Association of Counties, Simmons Hanly Conroy, LLC, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 89

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A QUIT CLAIM DEED TO MONTGOMERY COUNTY
FOR PROPERTIES LOCATED IN MONTGOMERY COUNTY
(PARCELS #56.5-2-57, #55.19-1-2, #8.16-1-21, #795-2-3)

WHEREAS, the Montgomery-Fulton Economic Development Corporation was created in 1965 and operated until 1985, when Fulton County changed direction and contracted with the Fulton County EDC to market Fulton County; and

WHEREAS, the dissolved Montgomery-Fulton EDC currently holds and retains four (4) parcels of property located in Montgomery County as follows:

- a. Parcel #56.5-2-57 (Church St., Amsterdam, valued at \$38,000.00)
- b. Parcel #55.19-1-2 (Windmill property by Thruway, valued at \$29,000.00)
- c. Parcel #8.16-1-21 (Sanders St., St. Johnsville, valued at \$3,762.00)
- d. Parcel #795-2-3 (Minaville St., Amsterdam, valued at \$2,000.00)

and

WHEREAS, Montgomery County has requested that Fulton County execute a Quit Claim Deed to forego any interest it may have in the four (4) parcels to Montgomery County; and

WHEREAS, the Committee on Finance and the County Attorney recommend that County of Fulton authorize said transfer since the properties are located in Montgomery County and of no interest or value to the County of Fulton; now, therefore be it

RESOLVED, That the County Attorney is hereby authorized to prepare a Quit Claim Deed and/or other documents he deems necessary to relinquish any interest of the County in said property; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Montgomery County Legislature, Montgomery County Executive, County Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 90

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION CONSENTING TO A PILOT AGREEMENT BETWEEN THE CITY OF
JOHNSTOWN AND PROVIDENCE HILLSIDE HOUSING DEVELOPMENT

WHEREAS, the City of Johnstown has proposed a PILOT Agreement with Providence Hillside Housing Development Fund Company, Inc. for a property located at 180 Briggs Street Extension, Johnstown, NY, for the purpose of providing property tax relief to promote low income senior housing; and

WHEREAS, Providence Hillside Housing Development Fund Company, Inc. has proposed a Payment in Lieu of Taxes (PILOT) Agreement with the City of Johnstown in accordance with NYS, based upon the recommendation of the City of Johnstown Common Council, the Board of Supervisors consents to; and

WHEREAS, the Finance Committee recommends a PILOT Agreement based on a pro-rated sharing of the Annual Total Tax Rate wherein the PILOT payment shall be between participating taxing jurisdictions based upon the amount of \$10,000.00 for 2023 with an escalator per year for 40 years, matching the tax exemption period; now, therefore be it

RESOLVED, That the County of Fulton endorses said PILOT Agreement between the City of Johnstown and Providence Hillside Housing Development Fund Company, Inc; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, City of Johnstown, County Attorney, Real Property Tax Services Agency Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 91

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH TENEX SOFTWARE SOLUTIONS,
INC. FOR LICENSE AND MAINTENANCE FEES IN THE BOARD OF ELECTIONS
(2023-2024)**

WHEREAS, Resolution 55 of 2021 authorized a contract with Tenex Software Solution Inc. for License and Maintenance fees related to Electronic Poll Book Software and Equipment in the Board of Elections effective April 15, 2020 through March 14, 2023, at a cost not to exceed \$5,000.00 per year; with the option to extend two (2) additional 12 month periods; and

WHEREAS, the Board of Elections Commissioners request an extension of said contract for the term March 15, 2023 through April 14, 2024 at a cost not to exceed \$5,000.00; now, therefore be it

RESOLVED, That upon the recommendation of the Board of Elections Commissioners and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign an extension of a contract between Fulton County and Tenex Software Solutions for License and Maintenance fees related to Electronic Poll Book Software and Equipment in the Board of Elections, effective March 15, 2023 through April 14, 2024, at an estimated cost of \$5,000.00 and, be it further

RESOLVED, That said contract extension be subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Election Commissioners, Tenex Software Solution Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 92

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR ELECTION SUPPLIES
AND PRINTED MATERIAL FOR USE IN THE BOARD OF ELECTIONS**

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from vendors for election supplies and printed materials for use in the Board of Elections (and according to further specifications which may be obtained at the Office of the Purchasing Agent, County Office Building, Room 223, Room 203, Johnstown, NY 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, County Building, 223 West Main Street, Room 203, Johnstown, NY 12095, no later than 2:00 p.m., Wednesday, March 22, 2023, at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Elections Commissioners and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 93

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING A WAIVER FROM VOTING LAW REQUIREMENT
REGARDING THE LOCATION OF THE EARLY VOTING POLLING SITE IN
FULTON COUNTY

WHEREAS, New York State Election Law Section 8-600 (Early Voting) Subdivision 2, effective April 1, 2022, paragraph (b) states that the Early Voting polling site must be located in the most populated municipality within the County; and

WHEREAS, this State mandate is viable in some regions, but is not in the best interest of citizen representation when invoked in Fulton County; and

WHEREAS, based upon past elections experience, the best location for centralized early voting within Fulton County is the Board of Elections offices, 2714 State Highway 29, Johnstown, NY 12095 for the following enumerated reasons:

1. Early voter turnout at the centrally-located Board of Elections in Johnstown was better and more representative of voter demographics, compared to the available Gloversville location after the mandate was enacted.
2. Available locations within Gloversville do not provide comparable amenities; such as staff office space, voter confidentiality and adequate convenient parking;
3. Centralized early voting at the Gloversville location results in increased costs for taxpayers related to staffing, travel time, equipment set-up, maintenance of voting systems and more.
4. The centralized Johnstown location is accessible via public transit and is more accessible for a majority of the county's residents.
5. Fulton County government has recently provided expanded space at the Johnstown offices of the Board of Elections which will further enhance and encourage voter participation.

now, therefore be it

RESOLVED, That the Board of Supervisors hereby formally requests that special state legislation be enacted to waive the requirement that the polling place in Fulton County must be located in the largest city or other municipality having the highest population in the county; and, be it further

Resolution No. 93 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Senator Walczyk, Assemblyman Robert Smullen, Assemblyperson Mary Beth Walsh, Assemblyman Matt Simpson, Congresswoman Elise Stefanik, Board of Elections Commissioners and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 341 (15) Nays: 51 (2) (Supervisors Born and Young)
Absent: 137 (3) (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 94

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AN INSTALLMENT PURCHASE CONTRACT FOR THE PURCHASE OF A SHARP MX-8090N COPIER UNDER STATE CONTRACT (#PM68232) FOR USE IN THE PRINTING DEPARTMENT

WHEREAS, the Information Technology Director has requested to purchase a Copier to replace a Xerox copier/printer lease that expired on June 2020 and has reviewed said plan with the Committee on Finance; now, therefore be it

RESOLVED, That the Information Technology Director be and hereby is authorized to purchase a Copier via a 36 month Deferred Payment Plan (DPP) Agreement (NYS OGS Contract PM68232) for a total cost of \$29,154.60, for use in the Information Technology Department as follows:

<u>(1) Sharp MX-8090N Copier/Printer</u>	<u>(80 sides per minute):</u>
Monthly DPP Payment (36 months)	809.85
Cost per side black (incl. supplies)	.0089
Cost per side color (incl. supplies)	.0428

and, be it further

RESOLVED, That the Chairman of the Board be authorized to sign a contract with Metroland Business Machines, Albany, New York, for a Deferred Payment Plan Agreement (NYS OGS Contract PM68232) for one (1) Sharp MX-8090N Copier/Printer at a total cost of \$29,154.60 and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Technology Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 95

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING 2023 CAPITAL PROJECTS FOR THE INFORMATION TECHNOLOGY DEPARTMENT

WHEREAS, the 2023 Capital Plan identifies the following projects for the Information Technology Department:

Network Infrastructure Update	\$190,000.00
Network Storage Upgrade	60,000.00
Server Software Upgrade	25,200.00
Pistol Permit Software Replacement	<u>60,000.00</u>
Total	\$335,200.00

and,

WHEREAS, it is necessary to transfer funds into the appropriate accounts; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A.1000.9950-9000.1000-EXP-Other-Unrestricted	\$335,200.00	
To: A.1680.1680-2010-EXP-Capital Equipment Expense		\$85,200.00
H.1680.1680-2100.0973-EXP-Network Infrastructure Update (NEW)		190,000.00
H.1680.3997-2100.0974-EXP-Pistol Permit Software Replacement (NEW)		60,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Technology Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 96

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE CONTRACT WITH TYLER TECHNOLOGIES FOR THE CAD/RMS UPGRADE PROJECT (CAD/RMS UPGRADE PROJECT)

WHEREAS, Resolution 300 of 2019 awarded a contract to Tyler Technologies for Purchase of Public Safety/CAD/RMS and Mobile Data System Software and Installation as part of the 2019 Capital Plan; and

WHEREAS, the Information Technology Director requests amending said contract with Tyler Technologies for CAD/RMS Upgrade Project to remove the “Enterprise Fire Records” Module and replace it with a functionally equivalent SaaS “Emergency Networking” Module; and

WHEREAS, the Committee on Finance and Information Technology Director recommend amending said contract with Tyler Technologies for the CAD/RMS Upgrade Project to remove the Enterprise Fire Records Module and replace it with the functionally equivalent SaaS Emergency Networking Module; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with Tyler Technologies, Troy, Michigan to facilitate said exchange; and, be it further

RESOLVED, That said contract amendment is subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Information Technology Director and Purchasing Agent do each and everything necessary to further the purport of this resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Technology Director, Sheriff, Civil Defense/Fire Coordinator, Tyler Technologies, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 97

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION APPROPRIATING RESERVE FUNDS TO CERTAIN
2023 CAPITAL PROJECTS

WHEREAS, Resolution No. 175 of 2001 established Capital Reserve accounts to facilitate capital improvements or the purchase of capital equipment; and

WHEREAS, the 2023 Adopted Budget allocated \$4,925,000.00 from said Solid Waste Reserves to fund certain Capital Equipment Projects; and

WHEREAS, said allocation needs to be transferred into the appropriate projects; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

Solid Waste Fund

From: CL-0898.0878 – Landfill Building - Equipment	\$1,175,000.00	
Depreciation Reserve		
CL-0898.0879 – Landfill Depreciation	3,750,000.00	
To: CL-0909 – Unreserved Fund Balance		\$4,925,000.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 98

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING THE BUDGET DIRECTOR/COUNTY AUDITOR TO SELL
BACK 40 HOURS VACATION ACCRUAL**

WHEREAS, Resolution 290 of 2007 amended the Non-Union Employee Policy Manual as it relates to Vacation Sell-back for Department Heads; and

WHEREAS, the Non-Union Policy Manual states as follows:

Department Heads who have reached their maximum vacation accrual and who because of operational needs of their Department, determine that they cannot schedule their annual leave at that time will, upon concurrence of their respective oversight committee, be entitled to have their vacation maximum accrual extended for up to three (3) months so that they will not lose their vacation accruals. During that three (3) months extension, it is anticipated that the Department Heads will be able to schedule their annual leave. If unusual operational circumstances exist in their annual leave, the Department Heads may then request that the Board of Supervisors by Resolution approve a vacation sell-back of up to 40 hours.

and,

WHEREAS, due to the needs of the Budget Office during the annual budget period, the Budget Director/County Auditor is requesting to sell back 40 hours of accrued vacation time; now, therefore be it

RESOLVED, That Budget Director/County Auditor Alicia Cowan be and hereby is authorized to sell back 40 hours of accrued vacation leave, effective immediately; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 99

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to dispose of the following County surplus equipment, in accordance with the Fulton County Purchasing and Audit Guidelines:

Sheriff:

1 – Nakajima Typewriter (5655)

1 – Nakajima Typewriter (5664)

Treasurer:

1 – Black Chair (No Number)

Information Technology:

1 – Desk (1073)

2 – Multilith 1250 Press (1084, 1089)

2 – Flat Drawer Cabinet (1090, 1095)

1 – AMM Exposure Unit (1091)

1 – Nuarc Plate Wash Station (1093)

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities, Solid Waste Director and Purchasing Agent be and hereby are directed to arrange for the disposal of the listed surplus as scrap and/or refuse, to be coordinated with the Solid Waste Department’s current bulky metals contract, as necessary; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Director, Sheriff, Information Technology Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 100

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION URGING THE NYS INDEPENDENT REDISTRICTING COMMISSION TO
MAINTAIN FULTON COUNTY BOUNDARIES IN ANY
ASSEMBLY REDISTRICTING PLAN

WHEREAS, the recently released Independent Redistricting Commission (IRC) draft plan for New York State Assembly re-districting divides Fulton County into two (2) sections by extending the 112th Assembly District westward across the bottom of Fulton County; and

WHEREAS, this proposed change would remove the cities of Johnstown and Gloversville from the 118th Assembly District and dilute representation in several negative impacts; and

WHEREAS, to comply with State Constitution requirements, the Assembly re-districting should promote the maintenance of existing districts and political subdivisions, including counties, cities, towns and communities with common interests; and

WHEREAS, currently, Fulton County is almost completely contained within the 118th Assembly District and under the IRC's draft plan, it will be drastically split between the 118th, 112th and 102nd Districts; and

WHEREAS, the IRC draft plan would combine a substantial portion of Fulton County with areas of Schenectady and Clifton Park that have very different economic interests; and

WHEREAS, the IRC draft plan, as proposed, does not comply with the requirements of the State Constitution; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby urges the NYS Independent Redistricting Commission to maintain the entire Fulton County boundaries in any final Assembly Redistricting Plan in the best interests of the county's residents; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Independent Redistricting Commission, Assemblyman Robert Smullen, Assemblyperson Mary Beth Walsh, Assemblyman Matt Simpson, Senator Mark Walczyk, Fulton-Montgomery Regional Chamber of Commerce, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 101

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION DEMANDING THAT THE STATE OF NEW YORK CONTINUE TO PASS-THROUGH FEDERAL AFFORDABLE CARE ACT ENHANCED FEDERAL MEDICAID ASSISTANCE PERCENTAGE (eFMAP) FUNDS TO COUNTIES

WHEREAS, Governor Kathy Hochul’s SFY 2024 State Budget proposal would end the Affordable Care Act (ACA) enhanced Federal Medical Assistance Percentage (eFMAP) federal pass-through to counties and New York City; and

WHEREAS, in this ill-advised proposal, the State is proposing to keep all of these federal savings going forward and use them to cover further State expansions of Medicaid eligibility and benefits and to increase payments to health care providers; and

WHEREAS, the elimination of this ACA eFMAP federal pass-through will require the 57 counties to spend at least \$280 million more in SFY 2024, and approximately \$1 billion when New York City is included and cost Fulton County about \$1.8 million in 2023-24; and

WHEREAS, Congress intended said eFMAP savings to be shared with counties proportional to the amount they contributed toward the nonfederal share of Medicaid; and

WHEREAS, starting in SFY 2014, New York began sharing these federal ACA savings directly with counties and reversing that commitment would be a hypocritical act that will result in increased property taxes for residents; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby demands that Governor Kathy Hochul reverse this horrible proposal that will increase property taxes for all New Yorkers and continue to share these federal funds with counties as has been the precedent for over 20 years; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Kathy Hochul, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblyperson Mary Beth Walsh, Assemblyman Matt Simpson, Fulton-Montgomery Regional Chamber of Commerce, New State Association of Counties, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 102

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

Facilities:

From: A.1620.1620-4030 – EXP – Repairs
To: A.1620.1620-1900 – EXP – Uniform Allowance
Sum: \$100.00

From: A.1620.1620-4010 - EXP- Equipment –Non-Asset
To: A.1620.1621-2010 - EXP-Capital Expense
Sum: \$1,390.00
(2024 Chevy Silverado)

From: A.1620.1621-4030 – EXP – Repairs
To: A.1620.1621-2000 – EXP – Equipment - Fixed Asset
Sum: \$119.00
(Equipment – iPad)

Personnel

From: A.1680.1680-8500 – EXP – Hospital Medical
To: A.1680.1670-8500 – EXP – Hospital Medical
Sum: \$8,000.00

From: A.1680.1680-8600 – EXP – Dental
To: A.1680.1670-8600 – EXP – Dental
Sum: \$1,400.00

Sheriff

From: A.3110.3110-4130 – EXP – Contractual	\$1,798.00
To: A.3110.3110-2000 - EXP- Equipment - Fixed Asset	\$1,050.00
A.3110.3110-4630 - EXP- Restraint - Rescue – Riot	748.00

From: A.3110.3110-4630 - EXP- Restraint - Rescue – Riot
To: A.3110.3110-2000 - EXP- Equipment - Fixed Asset
Sum: \$5,000.00

Social Services

From: A.6010.6011-1000 – EXP – Payroll
To: A.6010.6011-1100 – EXP – Overtime

Sum: \$17,000.00

Resolution No. 102 (Continued)

Highway

From: D.5010.5110-1000.1102 - EXP- Payroll - Highway Crews	\$ 99,500.00
To: D.5010.3310-1000 - EXP- Payroll	\$12,500.00
D.5010.5110-1000.1105 - EXP- Payroll - Airport Services	2,000.00
D.5010.5142-1000.1102 - EXP- Payroll - Highway Crews	80,000.00
D.5010.5142-1000.1105 - EXP- Payroll - Airport Services	5,000.00
From: D.5010.5110-1100.1102 - EXP- Overtime - Highway Crews	\$106,000.00
To: D.5010.5142-1100.1102 - EXP- Overtime - Highway Crews	\$105,500.00
D.5010.5142-1100.1105 - EXP- Overtime - Airport Services	500.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Facilities

Revenue

Increase A.1620.1620-3021 - REV- State Aid - Court Facilities \$ 4,000.00

Appropriation

Increase A.1620.1620-4130 - EXP- Contractual \$4,000.00

Information Technology

Revenue

Increase A.1680.3645-3306 - REV- State Aid - Homeland Security \$ 50,000.00

Appropriation

Increase A.1680.3645-4090 - EXP- Professional Services \$20,000.00

Increase A.1680.3645-4130 - EXP- Contractual \$30,000.00

Sheriff

Revenue

Increase A.3110.3110-2680 – REV – Insurance Recoveries \$8,356.00

Appropriation

Increase A.3110.3110-4540 – EXP – Vehicle Maintenance \$8,356.00

Revenue

Increase A.3110.3150-3389-REV-State Aid-Other Public Safety \$ 4,844.00

Appropriation

Increase A.3110.3150-1000-EXP-Payroll \$ 4,500.00

Increase A.3110.3150-8100-EXP-Social Security 344.00

Resolution No. 102 (Continued)

Public Health

Revenue

Increase A.4010.4010-3450-REV-State Aid-Public Health Other \$32,295.00

Appropriation

Increase A.4010.4010-1000-EXP-Payroll \$30,000.00

Increase A.4010.4010-8100-EXP-Social Security 2,295.00

Social Services

Revenue

Increase A.6010.6012-3689-REV-State Aid-Other Social Services \$ 3,230.00

Appropriation

Increase A.6010.6012-1000-EXP-Payroll \$ 3,000.00

Increase A.6010.6012-8100-EXP-Social Security 230.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel, Superintendent of Highways and Facilities, Information Technology Director, Social Services Commissioner, Public Health Director, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)

Resolution No. 103

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION WAIVING RESIDENCY RULE FOR HIRE OF MECHANIC AND
MECHANIC’S HELPER POSITIONS WITHIN FULTON COUNTY

WHEREAS, certain Department Heads and the Personnel Director are experiencing difficulty in filling certain positions with Fulton County; and

WHEREAS, after careful review of a recommendation from the Personnel Director, the Committee on Personnel recommended waiving the County’s “Residency Rule” to hire an out-of-county resident from contiguous counties for certain positions which were detailed in Resolution 410 of 2022; and

WHEREAS, the Personnel Director now recommends that two (2) additional Titles be included for waiver of the “Residency Rule”; now, therefore be it

RESOLVED, That the County “Residency Rule” be and hereby is waived for hire of the following positions, effective immediately through June 30, 2023:

Contiguous Counties:
Auto Mechanic
Auto Mechanic Helper

and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Lauria, Van Genderen and Wilson)